## Memorandum

To: City Council
From: Keith Robinson
Date: July 1, 2016

Subject: Nuisance and Abatement Ordinance.

and Undesirable Plant Management Ordinance



The project to update the Nuisance and Abatement Ordinance for the City is progressing to the approval stage. The July 5<sup>th</sup> meeting will provide Council an opportunity to review and comment on the proposed ordinance rewrite pertaining to the Nuisance and Abatement process.

Changes since the last meeting are:

- 1. Addition of the Whereas language.
- 2. 5.30.020 A. 2. Is a new definition combining two previous violations into a single violation.
- 3. 5.30.020 A. 6. f. Is expanded to include additional types of animals that might be attracted causing a nuisance.

Council will also see a completely new Chapter 5.50 Undesirable Plant Management Ordinance. This ordinance follows the Colorado Noxious Weed Act, which was passed as a matter of statewide concern. The ordinance is also intended to address the connection with the current County MOU which applies to the hours and costs associated with the County providing noxious weed mitigation in city rights of way and city property.

The Undesirable Plant Management Ordinance provides clarification and enforcement steps associated with noxious weeds. For those properties that fail to comply the final enforcement will come back to the Nuisance and Abatement Ordinance.

Finally, at the last meeting I referenced other traffic and general offenses that were being researched and considered for inclusion in this rewrite. At this time I'd propose moving forward with the violations addressed in these two ordinances. Following additional research and discussion with the City Attorney concerns around panhandling and camping in public areas are still unclear and should be addressed with existing violations or at the state level. Additionally, the suggestions related to parking and traffic will be addressed in the next project, which is to update the Model Traffic Code. Some of the areas can already be addressed by current state statute and will be included with the adoption of an updated Model Traffic Code. During that process we will also be able to add in any additional traffic related regulations needed specific to Gunnison.

Based on Council's review of the two proposed ordinances and agreement they will be finalized for 1<sup>st</sup> reading on July 12, 2016.